1 THE HONORABLE THOMAS S. ZILLY 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 EDWARD MELLER, as Personal Representative of the Estate of VITALY 10 MELLER, and EDWARD MELLER, Individually, 11 Plaintiffs, 12 v. 13 Case No. 2:15-cv-01487 TSZ EXTENDICARE HOMES, INC., a Delaware 14 corporation, d/b/a PUGET SOUND NOTICE OF SETTLEMENT HEALTHCARE CENTER; EXTENDICARE 15 HEALTH FACILITY HOLDINGS, LLC., a Delaware corporation; EXTENDICARE 16 HEALTH SERVICES, LLC, a Delaware corporation; PUGET SOUND RE LLC, a 17 Wisconsin corporation; and "JOHN DOE" CORPORATIONS I-V; Jointly and severally, 18 Defendants. 19 20 TO THE CLERK OF COURT: 21 Notice is hereby given that the parties have reached an agreement in principle to settle 22 this matter. This notice is intended to advise the Court of this pursuant to its order requiring 23 notice. The parties are working on finalizing the settlement. They ask that this matter remain 24 open for 30 days to facilitate that process. This notice is being filed by the Defendants with the 25 approval of Plaintiff and his attorney. 26 /// 27 /// LANE POWELL PC NOTICE OF SETTLEMENT - 1 1420 FIFTH AVENUE, SUITE 4200 Case No. 2:15-cv-01487 TSZ P.O. BOX 91302 SEATTLE, WA 98111-9402 206.223.7000 FAX: 206.223.7107

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Case 2:15-cv-01487-TSZ Document 13 Filed 10/05/16 Page 2 of 3

DATED: October 5, 2016 2 LANE POWELL PC 3 By <u>s/Charles C. Huber</u> Barbara J. Duffy, WSBA No. 18885 5 Charles C. Huber, WSBA No. 18941 1420 Fifth Avenue, Suite 4200 P.O. Box 91302 Seattle, WA 98111 6 Tel: 206.223.7000 / Fax: 206.223.7107 7 E-mail: duffyb@lanepowell.com 8 huberc@lanepowell.com Attorneys for Defendants Extendicare Homes, 9 Inc., d/b/a Puget Sound Healthcare Center, Extendicare Health Facility Holdings, LLC, Extendicare Health Services, LLC, Puget Sound 10 Re LLC 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27

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1 **CERTIFICATE OF SERVICE** 2 3 Pursuant to RCW 9A.72.085, the undersigned certifies under penalty of perjury under the laws of the State of Washington, that on the 5th day of October, 2016, the document attached 4 hereto was presented to the Clerk of the Court for filing and uploading to the CM/ECF system. 5 In accordance with their ECF registration agreement and the Court's rules, the Clerk of the Court 6 will send e-mail notification of such filing to the following persons: 7 8 James Gooding, WSBA No. 23833 9 Graham Lundberg Peschel, P.S., Inc. 2601 Fourth Avenue, Floor 6 10 Seattle, WA 98121 Tel: 206.448.1992 11 E-mail: igooding@glpattorneys.com 12 13 and I hereby certify that I have mailed by United States Postal Service the document to the 14 following non-CM/ECF participants: 15 16 DATED this 5th day of October, 2016, at Seattle, Washington. 17 s/Charles C. Huber 18 Signature of Attorney WSBA No. 18941 19 Typed Name: Charles C. Huber Address: 1420 Fifth Avenue, Suite 4200 20 P.O. Box 91302 Seattle, WA 98111-9402 21 Telephone: 206.223.7000 Fax: 206.223.7107 22 E-mail: huberc@lanepowell.com 23 24 25 26 27 LANE POWELL PC

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